

**IN THE UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF VIRGINIA**

Newport News Division

UNITED STATES OF AMERICA)	
)	
v.)	Criminal No.: <u>4:23cr54</u>
)	
EARVIN JEROME MOORE,)	
Defendant)	

Motion for Reconsideration

Now Comes, The Defendant, EARVIN JEROME MOORE, by and through counsel, and asks the court to reopen the Detention Hearing held on September 19, 2023 and reconsider the court's ruling based upon new evidence and the Addendum filed by United States Probation Officer Tara R. Gill. In support of this motion, Defendant states as follows:

1. At the detention hearing on September 19, 2023, Judge Leonard stated that the court was finding that the presumption was not rebutted because the Defendant's Mother, Arnita Moore, was not a suitable third-party custodian.
2. Judge Leonard further stated that he would permit the Defendant's sister, Ebony Moore, to be screened by probation and considered as a third-party custodian if acceptable.
3. If found suitable, Judge Leonard stated that the would consider this new evidence and reopen the Detention Hearing to consider Ebony Moore as third-party custodian.

4. Ebony Moore was screened by Probation Officer Tara R. Gill and found to be an acceptable third-party custodian for the Defendant.
5. United States Probation Officer Tara R. Gill filed an addendum with this court on 9/20/2023 finding, “Ms. Moore appears to be a suitable third-party custodian.
6. In the addendum, United States Probation Officer Tara R. Gill recommended, “the defendant be released on a \$2,500 Unsecured Bond and with the following conditions:
 - a. Submit to supervision by and report for supervision to the United States Probation Office.
 - b. Remain in the custody of Ebony Moore, the defendant’s sister, who is a designated person and has agreed to assume supervision and report any violation of a release condition.
 - c. Report change of address.
 - d. Avoid all contact, directly or indirectly, with any person who is or may be a victim, witness, or coconspirator in the investigation or prosecution.
 - e. Obtain and Maintain employment.
 - f. Report as soon as possible to the supervising officer any contact with any law enforcement personnel, including, but not limited to, any arrest, questioning, or traffic stop.
 - g. May not possess a weapon to include any firearm, ammunition, or destructive devices.

h. Travel restricted to Eastern District of Virginia

WHEREFORE the Defendant respectfully requests that an Order be entered reopening this matter in accordance with this motion and a Detention Hearing be held forthwith.

EARVIN JEROME MOORE

/S/
OF COUNSEL

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Certificate of Service

I hereby certify that on this 27th day of September 2023 I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification (NEF) to:

Eric M. Hurt, Esquire
United States Attorney's Office
721 Lake Front Commons
Suite 300
Newport News, VA 23606
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And I hereby certified that I have emailed the document by US Mail to the following non-filing user:

Tara R. Gill
United States Probation Officer
tara_gill@vaep.uscourts.gov

_____/s/_____
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